

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES ERNEST DICKERSON,

Petitioner,

v.

CAROL PORTER,

Respondent.

Case No. C05-5793RJB

ORDER DENYING
PETITIONER'S MOTIONS

This 28 U.S.C. § 2254 petition for habeas corpus relief has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636 (b) and local Rules MJR 3 and 4. Petitioner in this action, CO5-5793RJB, is seeking federal habeas corpus relief pursuant to 28 U.S.C. § 2254.

Petitioner has bombarded the court with motions and letters since the beginning of this case. On April 25th, 2006 the court entered an order that addressed most, but not all, of the filings. (Dkt. # 54). This order addresses motions filed prior to April 25th, 2006 that were not ripe for review.

Before the court are:

1. Motion to amend an affidavit. (Dkt. # 57)
2. Motion to supplement an affidavit. (Dkt. # 59)
3. Motion to supplement exhibits with an affidavit. (Dkt. # 68)

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- The motions are **DENIED WITHOUT PREJUDICE**. As the court explained on April 25th, 2006, the respondent has filed a motion to dismiss and claims this petition is time barred. That motion is noted to be heard May 26th, 2006. If respondent is correct the court should not consider any issue on the merits of this case. Petitioner was instructed to file a response to the motion to dismiss that addressed only the time bar issue. (Dkt. # 54).

DATED this 19th day of May, 2006.

/s/ J. Kelley Arnold
J. Kelley Arnold
United States Magistrate Judge